

PATENT
(Practitioner's Docket No. IN-5550) #6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Lutz-Werner et al.

Serial No.: This application is a National
Phase of Patent Application
PCT/EP00/06286 filed 05 July 2000.

Group Art Unit: Not Assigned

Filed: January 4, 2002

Examiner: Not Assigned

For: AQUEOUS COATING SUBSTANCE, METHOD FOR ITS PRODUCTION AND ITS
USE

Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:
- ☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [], filed on []. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:
- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☒ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith: **09/367,021 for DE 197 05 219 A1; 5,707,941 ENGLISH FOR DE 44 14 032 A1; 5,516,559 ENGLISH FOR DE 42 04 518 A1; 6,001,424 ENGLISH FOR EP 0 730 613 B1; CA 207 94 98 ENGLISH FOR EP 0 540 884 A1; 5,425,970 ENGLISH FOR EP 0 568 967 A2; 5,601,880 ENGLISH FOR EP 0 593 454 B1; 5,334,420 ENGLISH FOR EP 0 521 928 B1; 5,965,213 ENGLISH FOR DE 196 13 547 A1; 5,601,878 ENGLISH FOR DE 42 22 194. A1; 5,707,941 ENGLISH FOR DE 44 14 032; 09/367,021 ENGLISH FOR DE 197 05 219.9; GB1127338 ENGLISH FOR DE 1618795; CA 2073115 ENGLISH FOR EP 596 460; 6,309,707 ENGLISH FOR DE4421823; 3,361,844 ENGLISH FOR DE1793785; 5,905,132 ENGLISH FOR DE 4337961; 5,028,639 ENGLISH FOR DE3636183; 5,502,101 ENGLISH FOR EP 0521919; 4,653,615 ENGLISH FOR EP 0049583; 5,126,393 ENGLISH FOR EP0427028; 5,210,154 ENGLISH FOR EP0339433; 6,221,949 ENGLISH FOR DE4438504**
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:

Information Disclosure Statement
Page 3

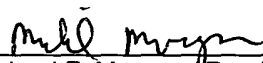
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$230.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Respectfully submitted,


Michael F. Morgan, Reg No.42,906
BASF Corporation
26701 Telegraph Road
Southfield, Michigan 48034-2442
Tel. No.: (248) 948-2020

Customer no. 26922

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FORM PTO-1449
(MODIFIED)

US DEPARTMENT OF COMMERCE
PATENT AND TRADE OFFICE

Atty. Docket No. IN-5550

LIST OF ART CITED BY APPLICANT
(Use sever of sheets if necessary)

In re Application of: GROSS et al.

Serial No.: Herewith

Filed: Friday, January 04, 2002

U.S. PATENT DOCUMENTS

| Examiner initial | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|-----------------|----------|------------------|-------|----------|-------------------------------|
| | AA | 4,268,542 | 5/19/81 | SAKAKIBARA et al | 427 | 195 | 1/25/79 |
| | AB | 4,675,234 | 6/23/87 | SACHS et al | 427 | 328 | 5/17/85 |
| | AC | 5,965,213 | 10/12/99 | SACHARSKI et al | 427 | 1/04 | 2/2/98 |
| | AD | 4,754,014 | 6/28/88 | RYNTZ et al | 528 | 28 | 2/24/87 |
| | AE | 5,356,669 | 10/18/94 | REHFUSS et al | 427 | 407.1 | 10/23/92 |
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| | AG | 5,425,970 | 6/20/95 | LAHRMANN et al | 427 | 493 | 5/6/93 |
| | AH | 5,601,880 | 2/11/97 | SCHWARTE et al | 427 | 407.1 | 8/5/94 |
| | AI | 6,001,424 | 12/14/99 | LETTMANN et al | 427 | 407.1 | 5/16/96 |
| | AJ | 5,601,878 | 2/11/97 | KRANIG et al | 427 | 386 | 6/23/93 |
| | AK | 5,516,559 | 5/14/96 | RöCKRATH et al | 427 | 407.1 | 8/23/94 |

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| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|---------------------|----|--------------------|----------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | AL | 197 05 219 A1 | 13.08.98 | DE | C09D | 17/00 | | X |
| | AM | 0 590 484 A1 | 22.09.93 | EP | C08G | 18/08 | X | |
| | AN | 19613547 f | 4.4.96 | DE | C09D | 5/46 | | X |
| | AO | 4414032 | 22.04.94 | DE | C08G | 18/75 | | X |
| | AP | 0358153 f | 04.09.89 | EP | C09D | 143/04 | X | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|--|
| | AR | BASF Coatings AG et al., Frieling, Patent Application No. 09/367,021 filed on Sept. 22, 1999, entitled |
| | | "Universal pigment pastes and their use for the manufacture of aqueous paints", pages 1-61 and the |
| | | Abstract on 2 pages |
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| Examiner initial | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | AA | 5,707,941 | 1/13/98 | Haberle | 528 | 44 | 4/17/95 | |
| | AB | 4,710,542 | 12/1/87 | FORGIONE et al | 525 | 127 | 5/16/86 | |
| | AC | 5,334,420 | 8/2/94 | HARTUNG et al | 427 | 407.1 | 3/13/91 | |
| | AD | 5,605,965 | 2/25/97 | REHFUSS et al. | 525 | 100 | 11/3/94 | |
| | AE | 5,905,132 | 5/18/99 | WEGNER et al. | 528 | 45 | 10/20/94 | |
| | AF | 5,502,101 | 3/26/96 | SCHWATTE et al | 524 | 460 | 3/9/91 | |
| | AG | 5,028,639 | 7/2/91 | TREUTLEIN et al | 523 | 200 | 10/31/90 | |
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| | AI | 6,309,707 | 10/30/01 | MAYER et al | 427 | 386 | 12/20/96 | |
| | AJ | 3,361,844 | 1/2/68 | HOESCHELE | 260 | 858 | 12/14/64 | |
| | AK | 6,221,949 | 4/24/01 | GROSS et al. | 524 | 451 | 6/20/97 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | AL | 3706095 | 25.2.87 | DE | C08G | 77/20 | | X |
| | AM | 4204518 | 15.02.92 | DE | B05D | 1/36 | | X |
| | AN | 4222194 | 07.07.92 | DE | C09D | 5/46 | | X |
| | AO | 0521928 | 13.03.91 | EP | C08F | 299/06 | | X |
| | AP | 0522419 | 30.06.92 | EP | C08G | 18/67 | | X |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
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| Examiner initial | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | AA | 5,210,154 | 5/11/93 | WEIDEMEIER et al | 525 | 438 | 4/18/89 |
| | AB | 5,126,393 | 6/30/92 | BLUM et al | 524 | 538 | 10/24/90 |
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| | | | | | | | YES | NO |
| | AL | 038127 | 24.03.81 | EP | B05D | 7/26 | X | |
| | AM | 245700 | 29.04.87 | EP | C07D | 251/54 | X | |
| | AN | 249201 | 10.06.87 | EP | C09D | 3/58 | X | |
| | AO | 276501 | 26.09.87 | EP | C11D | 1/42 | X | |
| | AP | 0424705 | 04.10.90 | EP | C08F | 283/00 | X | |

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| | | | | | | | YES | NO |
| | AL | 0522420 | 30.06.92 | EP | C08J | 3/03 | | X |
| | AM | 0540884 | 03.10.92 | EP | B05D | 3/06 | | X |
| | AN | 0568967 | 04.05.93 | EP | B05D | 3/00 | | X |
| | AO | 0593454 | 09.03.91 | EP | B05D | 7/26 | | X |
| | AP | 0594068 | 15.10.93 | EP | C09D | 201/02 | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
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| | | | | | | | YES | NO |
| | AL | 0594071 | 15.10.93 | EP | C09D | 201/02 | X | |
| | AM | 0594142 | 20.10.93 | EP | C08L | 57/12 | X | |
| | AN | 0596460 | 03.11.93 | EP | C09D | 201/00 | | X |
| | AO | 0604922 | 23.12.93 | EP | C08K | 5/3492 | X | |
| | AP | 0730613 | 18.11.94 | EP | C08F | 290/14 | | X |

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| | | | | | | | YES | NO |
| | AL | 1220717 | 02.03.71 | GB | H01f | 27/00 | X | |
| | AM | WO9222615 | 23.12.92 | EP | C09D | 151/08 | | X |
| | AN | WO9317060 | 02.09.93 | EP | C08G | 63/02 | X | |
| | AO | WO9410211 | 11.05.94 | EP | C08F | 8/30 | X | |
| | AP | WO9410212 | 11.05.94 | EP | C08F | 8/30 | X | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | AR | ENGLISH ABSTRACT ON COVER PAGE OF THE INTERNATIONAL PUBLICATION FOR WO92/22615 |
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| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | AL | WO9422968 | 13.10.94 | EP | C09D | 133/06 | | X |
| | AM | WO9422969 | 13.10.94 | EP | C09D | 133/06 | | X |
| | AN | WO9612754 | 02.05.96 | EP | C08G | 63/20 | X | |
| | AO | WO9712945 | 10.04.97 | EP | C09D | 5/04 | X | |
| | AP | WO9749745 | 31.12.97 | EP | C08G | 18/08 | X | |

| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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| | AR | ENGLISH ABSTRACT ON COVER PAGE OF THE INTERNATIONAL PUBLICATION FOR WO94/22969 |
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| | AS | ENGLISH ABSTRACT ON COVER PAGE OF THE INTERNATIONAL PUBLICATION FOR WO94/22968 |
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| | AL | WO9749747 | 31.12.97 | EP | C08G | 18/75 | X | |
| | AM | 2102169 | 24/08/01 | CA | C09D | 133/00 | X | |
| | AN | 2079498 | 24/08/01 | CA | B05D | 3/06 | X | |
| | AO | WO9950359 | 07.10.99 | EP | C09D | 5/00 | | X |
| | AP | 0354261 | 11.08.88 | EP | C08G | 18/50 | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | AR | ENGLISH ABSTRACT ON COVER PAGE OF THE INTERNATIONAL PUBLICATION FOR WO99/50359 ✓ | | | | | | |
| | AS | ENGLISH ABSTRACT FOR DE19705219 ✓ | | | | | | |
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| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | |

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FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADE OFFICE

Atty. Docket No. IN-5550

LIST OF ART CITED BY APPLICANT
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In re Application of: GROSS et al.

Serial No.: Herewith

Filed: Friday, January 04, 2002

U.S. PATENT DOCUMENTS

| Examiner initial | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|-----------------|------|------|-------|----------|----------------------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
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| | AF | | | | | | |
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| | AI | | | | | | |
| | AJ | | | | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|------------------|----|-----------------|----------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | AL | WO9112899 | 5.9.91 | EP | B05D | 7/16 | X | |
| | AM | 1127338 | 15.06.67 | GB | C07c | 119/04 | X | |
| | AN | 2073115 | 24.8.01 | CA | C09D | 175/14 | X | |
| | AO | 3636183 | 03.03.88 | DE | C09D | 5/38 | | X |
| | AP | 4421823 | 22.06.94 | DE | C09D | 175/04 | | X |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|----|----------------------------------|
| | AR | ENGLISH ABSTRACT FOR EP436941 ✓ |
| | AS | ENGLISH ABSTRACT FOR DE4142816 ✓ |
| | AT | |

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|---------------------|----|--------------------|----------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | AL | 0498583 | 31.01.92 | EP | B01J | 19/18 | X | |
| | AM | | | | | | | |
| | AN | | | | | | | |
| | AO | | | | | | | |
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